



September 22, 2006

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the 3rd Annual
"Woman of the Year" Award Dinner in Washington, DC, on October 26, 2006

The National Capital Area Council Boy Scouts of America (BSA) and Learning for Life will hold their 3rd Annual "Woman of the Year" Award Dinner on October 26, 2006, at the Renaissance Washington D.C. Hotel in Washington, D.C. at 6:30 p.m. At the event, Ms. Shana Dale, the NASA Deputy Administrator, will be honored with the "Woman of the Year" award. Dr. Michael Griffin, the NASA Administrator, will present Ms. Dale with the award. Ms. Dale has been chosen for the "Woman of the Year" award because of her commitment to the community, the nation's youth, and public service. The BSA is a non-profit organization dedicated to developing the character of young people. Learning for Life, also a non-profit, is a subsidiary of the BSA that has a school-based values program for young people and a component that allows them to test career choices.

The event will be attended by members of Congress, congressional staff, industry, non-profit organizations, Federal agencies, and the public. The cost of attendance is \$250 per person. Approximately 150 people are expected to attend the event. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g).

I have determined that free attendance of NASA employees is in the best interests of the Agency because it will further NASA programs and operations. The event will provide an opportunity for NASA officials to discuss the NASA Vision for Space Exploration and the Agency's youth-related programs with other attendees. Accordingly, NASA employees whose duties do not substantially affect the sponsors may accept an invitation for free attendance to the event for themselves and their invited spouses or guests.

Note that some NASA contractors may be providing sponsorship for this event and purchasing tables at which the BSA and Learning for Life may seat other attendees. To avoid the appearance of a conflict of interest, NASA employees who attend the dinner must ensure that they do not sit at a table sponsored by a contractor with which they are closely and currently involved or expect to be involved within the next few months, e.g., by way of source selection or contract administration duties.

It will be sufficient if invited NASA employees provide the names of such contractors to the BSA and Learning for Life with their RSVPs and do not sit at the listed companies' tables. Employees do not have to list any and all contractors with whom future contact is possible or contractors with whom they have infrequent contacts on trivial matters. Rather, only contractors with whom they are or will soon be closely involved as described above need be listed. Consequently, it is expected that for most employees, the list of prohibited sources can be kept to a minimum. The final decision on this matter is, of course, left to the employee who has first-hand knowledge of his or her responsibilities.

NASA employees whose duties may substantially affect the sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 CFR § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

In addition, there is a fundraising aspect to the event. As a reminder, you should avoid participating in any of the fundraising activities, including any promotional, production, or presentation activities, such as standing in a reception line. Employees should also avoid making any requests for support for the nonprofit organization.



for R. Andrew Falcon